

CERTIFICATE OF ELECTRONIC FILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being electronically filed with the U.S. Patent & Trademark Office on 21 July 2008.

/Abby Berghella/

Abby Berghella

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bart Alan MELTZER et al.

Application No.: 09/173,858

Confirmation No.: 4734

Filed: 16 October 1998

Title: Documents for Commerce in Trading
Partner Networks and Interface
Definitions Based on the Documents

Group Art Unit: 2178

Examiner: HUYNH, Cong Lac T.

CUSTOMER NO.: 22470

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Declaration of Brianna Dahlberg re Unavailable Inventor

I, Brianna Dahlberg, declare as follows:

1. I am a legal assistant employed at Haynes Beffel & Wolfeld LLP at present and enrolled to attend law school this fall. All the statements made herein are my own personal knowledge, except where stated on information and belief. I could competently testify thereto if called as a witness.

2. I am informed and believe that inventor Terry Allen at an earlier stage in this application refused a package that was sent to him containing a draft declaration. This happened several years ago, before I began work as a legal assistant, but it is apparent from our files.

3. I am informed and believe that Mr. Allen's street address in Sonoma County was obtained from a data service. The street address was selected by its proximity to Mr. Allen's known P.O. Box.

4. On or about June 30, 2008, I prepared two Express Mail packages and sent to Mr. Allen draft declarations and exhibits for his consideration. One was addressed to his P.O. Box and the other to his street address. His street address is omitted from this declaration out of regard for his privacy, but his P.O. Box address is already of record. The Express Mail serial numbers for the packages that I sent were EM 246708516 US and EM 246708502 US.

5. Both of the packages that I sent were returned to us unopened and refused by the recipient. True and correct facsimiles from the fronts of these packages are attached hereto as exhibits. Both packages are marked by the Post Office "Returned to Sender". The reason checked for both packages for the package is being returned was "refused." In addition to the Post Office's reason, there is a handwritten notation in pen on each package that says "REF T.A.", which we take to mean "refused by Terry Allen."

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct. I make this declaration with the understanding and knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 U.S.C. and that making willful false statements would jeopardize the validity of my application and any patents issuing thereon.

Executed this 21st day of July, 2008 in Half Moon Bay, CA.

/Brianna Dahlberg/
Brianna E. Dahlberg

